

From: Richard Duncan
To: Microsoft ATR
Date: 1/28/02 7:53pm
Subject: Microsoft Settlement

Attached is a signed letter with my view on the Microsoft settlement for Attorney General John Ashcroft.

Thank you for your attention in this matter.

-Rick

Richard J. Duncan
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January 28, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

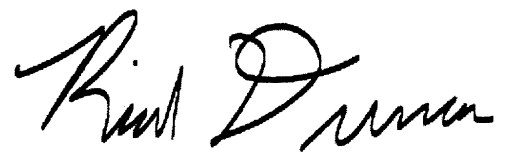
I am in favor of the Microsoft antitrust settlement agreement. The terms of the settlement agreement are reasonable, and will appropriately address the concerns raised about anticompetitive business practices. Continued litigation will not produce a better result.

Addressing the allegation that they have acted in a predatory manner, Microsoft has agreed not to enter into contracts that will obligate third parties to exclusively distribute Windows. They have also agreed not to take retaliatory action against those who promote software that competes with Windows. The net result of the settlement agreement will be a more level playing field for Microsoft's competitors. Additionally, a technical committee will be established to monitor Microsoft's compliance with the settlement agreement. Any party who believes Microsoft has violated the terms of the settlement agreement may lodge a complaint with the technical committee. These types of safety mechanisms will ensure no further violations of antitrust laws occur.

Given the vast array of concessions that have been made by Microsoft, no further litigation is warranted. I am hopeful the Department of Justice will remain committed to settling this case. Thank you for your time and attention.

Sincerely,

MTC-00029007_0002

A handwritten signature in black ink, reading "Richard Duncan". The script is fluid and cursive, with the first name "Richard" and last name "Duncan" clearly distinguishable.

Richard Duncan